

REMARKS

Claims 1 and 10 currently remain in the application. Claims 12-17 remain withdrawn as being addressed to a non-elected subject matter. Claims 2-9 and 11 have been canceled. Claim 1 is herein amended.

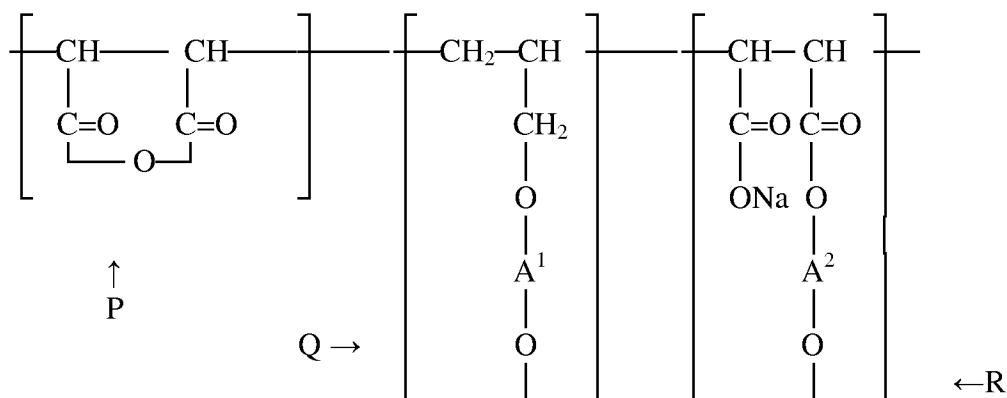
The matter of claim rejections in Paragraphs 3 and 4 in page 2 of the Official Letter is believed properly addressed to because independent claim 1 is herein amended in the manner suggested by the Examiner.

Claims 1 and 10 were rejected under 35 U.S.C. 103 over Kerkar in view of Ohta, further in view of Fischer and still further in view of Kloetzer for the reasons given in said Final Office Action. The present invention according to claim 1 herein relates to a multi-functional admixture for concrete comprising Component A by 20-84 weight %, Component B by 15-79 weight % and Component C by 0.3-3 weight % such that their total will be 100 weight %, where Components A, B and C are as described in detail in claim 1. These Components will be discussed next individually.

Component A

Component A is one or more copolymers selected from a group consisting of graft copolymers and salts of copolymers, as described in claim 1. If it is a graft copolymer obtained by the first process and the second process as described in claim 1, its structural units are as shown by Formula A-1 shown below:

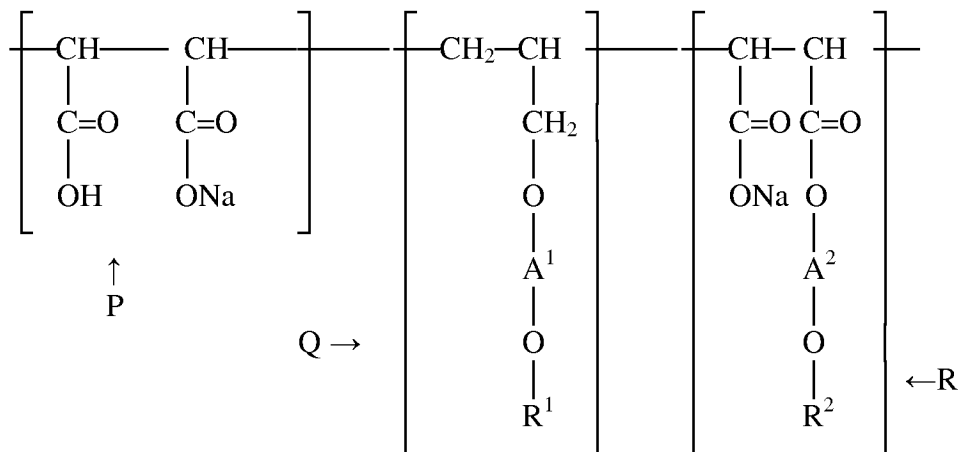
(Formula A-1)





If it is a salt of graft copolymer obtained by the first process, the second process and the third process as described in claim 1, on the other hand, its structural units may be, for example, as shown by Formula A-2 below:

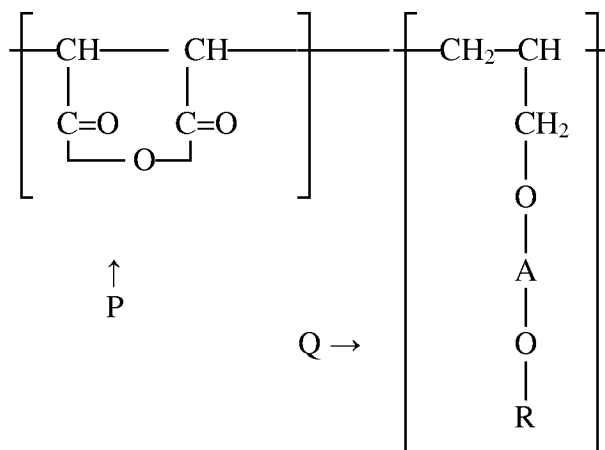
(Formula A-2)



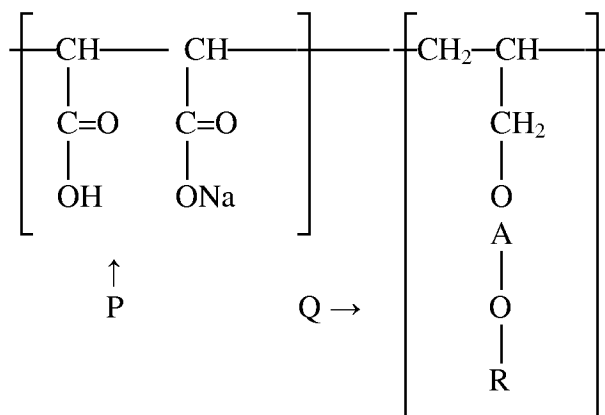
Formula A-2 is different from Formula A-1 wherein the part corresponding to maleic anhydride (part P) in Formula A-1 initially opens and becomes OH by hydrolysis, a portion thereof becoming neutralized thereafter. This difference comes about, depending upon whether the third process of claim 1 is carried out (in the case of Formula A-2) or not (in the case of Formula A-1), and these parts (P) of Formulas A-1 and A-2 may be considered to be substantially the same. In other words, both Formulas A-1 and A-2 may be characterized as being of a structure which may be represented as P+Q+R, or that Component A according to claim 1 is a copolymer or its salt of a three-unit structure consisting of units P, Q and R.

By contrast, the alkenyl ether/maleic anhydride copolymer cited by the Examiner (or the copolymer described in column 3, lines 12-31 of Kerkar) has structural units of Formulas A-3 and A-4 shown below:

(Formula A-3)



(Formula A-4)

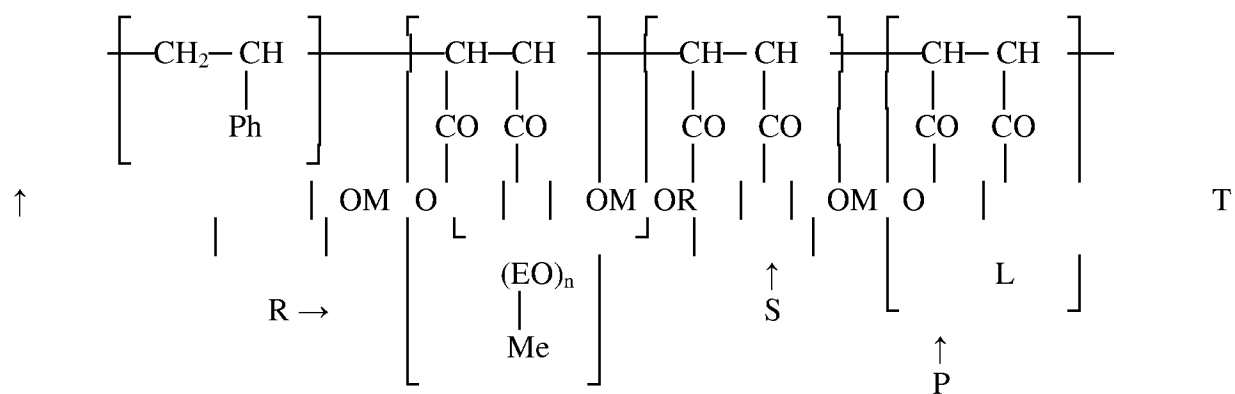


The structure of Formulas 3 and 4 may be represented as P+Q. In other words, the copolymers that are referenced in Kerkar are of a two-unit structure consisting of units P and Q.

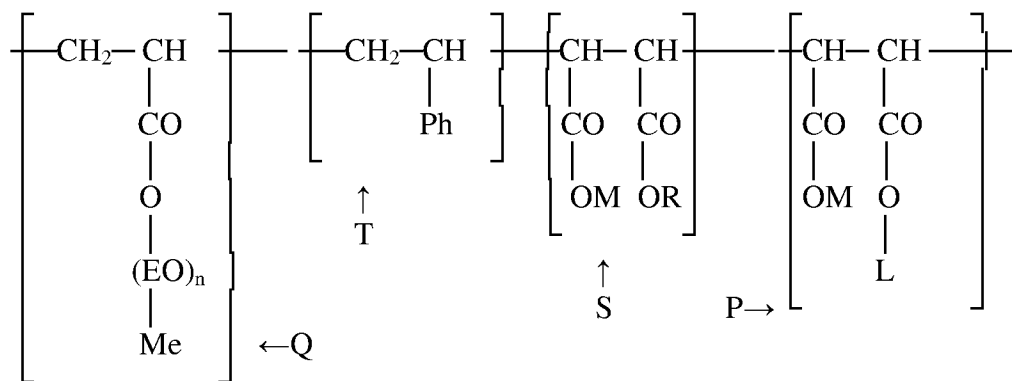
It goes without saying that Component A is a copolymer or its salt, not a compound. Copolymers and salts of claim 1 having a three-unit structure (such as Component A) are clearly distinguishably different from these of Kerkar having a two-unit structure. Their characteristics are also different, as demonstrated in the "second declaration" which is being submitted simultaneously herewith.

Ohta, another reference cited by the Examiner, discloses salts of copolymers having structural units shown by Formulas S, A and B below (columns 5-6 of Ohta):

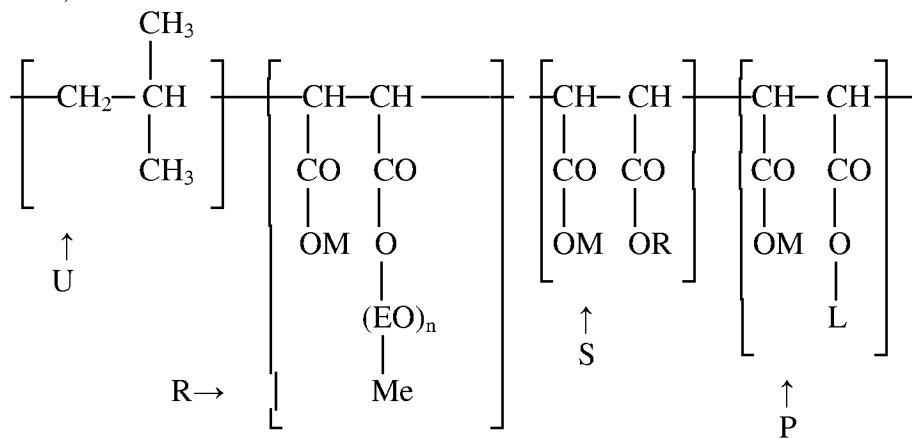
(Formula S)



(Formula A)



(Formula B)



It can easily be seen that Formula S may be described in the form of P+R+S+T, as indicated above with arrows, the unit including the hydrophobic group having a phenyl group indicated by Ph being written as T. In other words, the salt of copolymer of Ohta shown by Formula S is a salt of a copolymer of a four-unit structure consisting of units P, R, S and T.

It can also easily be seen that Formula A may be described in the form of P+Q+S+T by using equivalent symbols used above and as indicted above with arrows. In other words, the salt of copolymer of Ohta shown by Formula A is also a salt of a copolymer of a four-unit structure but consisting of units P, Q, S and T.

It can further be seen easily that Formula B may be described in the form of P+R+S+U by using equivalent symbols used above and as indicted above with arrows, the unit including the hydrophobic group having isobutylene group being written as U. In other words, the salt of copolymer of Ohta shown by Formula B is also a salt of a copolymer of a four-unit structure but consisting of units P, R, S and U.

It goes without saying that Component A is a copolymer or its salt, not a compound. Copolymers and salts of claim 1 having a three-unit structure (such as Component A) are clearly distinguishably different from the salts of copolymers of Ohta which have a four-unit structure as explained above and are characterized as including a hydrophobic group. Their characteristics are accordingly different, as demonstrated in the "second declaration" which is being submitted simultaneously herewith.

Component B

Component B is polypropyleneglycol monoalkyl ether, as clearly described in claim 1 of the application. By contrast, what is cited by the Examiner from Fischer's column 3 at lines 34-46 is alkylaryl polyethylene glycol ether which is obtained by closing one end of polyethylene glycol with a benzene ring having alkyl group with 4-18 carbon atoms as a substitutional group (or substituent). Component B according to the present invention and what is disclosed by Fischer are different because, while Component has one end of polypropylene glycol by an alkyl group with 3-5 carbon atoms, Fischer discloses closing one end of polyethylene glycol with a benzene ring having alkyl group with 4-18 carbon atoms as a substitutional group (or

substituent). As shown in detail in the "second declaration" which is being submitted simultaneously herewith, desired effects of the present invention cannot be obtained with the kind of alkylaryl polyethylene glycol ether of Fischer.

Component C

There is a partial overlap between Component C as defined in claim 1 and what is described in Kloetzer. cited by the Examiner.

Effects obtainable by the present invention (or claim 1)

Desirable effects of the present invention are shown by Test Examples in Tables 4 and 5 of the application. As shown in these Tables, these desirable effects are obtainable simultaneously. It is apparent from these Tables that particularly desirable effects are obtainable regarding slump loss and durability index against freezing and thawing action.

Tables 4b and 5b in the "second declaration" clearly show, by contrast, that if those described in cited references (Kerkar, Ohta, Berke, Fischer and Kloetzer) are substituted for any of Components A, B and C of this invention as described in claim 1 of the present application, these desirable effects of the present invention cannot be obtained simultaneously and in particular slump loss and /or durability index against freezing and thawing action comes to be adversely affected.

In summary, it is believed to be not obvious to use Component A of this invention which is not described or even hinted at in Kerkar or Ohta and Component B of this invention which is not described or even hinted at in Fischer, as well as Component C which is partially disclosed in Kloetzer in the specified portion specifically specified in the present invention for the specified purpose described in the present invention.

Although only claim 1 was discussed for the present invention but claim 10 serves to technically limit the invention of claim 1 and the discussion given above for non-obviousness of claim 1 applies equally to the non-obviousness of claim 10.

In summary, it is believed that the Examiner will now be convinced that the present invention is not obvious in view of the cited references and that the application is now in

condition for allowance.

The Examiner is requested to issue at least an advisory action, if not a notice of allowance, in a seasonable manner since the instant Amendment is being submitted within two months of the mailing date of said Final Office Action.

Applicants believe that no fees are due. If it is determined that fees are due, Applicants authorize the Commissioner to charge the required fees to Deposit Account No. 504480 (Order No. TKMTP127).

Respectfully submitted,

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